



GAC- 1617

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Gary D. HODGEN

Serial No.: 09/313,625

Filed: May 18, 1999

Date: February 8, 2001

Group Art Unit: 1617

Examiner: E. Webman

For: CONTROL OF SELECTIVE ESTROGEN RECEPTOR MODULATORS

Asst. Commissioner for Patents

Washington, D.C. 20231

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Sir:

In response to the Office Action mailed January 8, 2001, please reconsider the above-identified application in light of the following selections and remarks.

FEE CALCULATION

No additional fee is required.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.